

AO 362 (Rev. 12-30)

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF ILLINOIS**  
**Waiver of Service of Summons**

TO: Thomas E. Soule  
 (NAME OF PLAINTIFF'S ATTORNEY OR UNPRESSESSED PLAINTIFF)

I, North Star Capital Acquisition, LLC acknowledge receipt of your request  
 (DEFENDANT NAME)

that I waive service of summons in the action of Stemberk v. North Star Capital Acquisition, LLC  
 (CAPTION OF ACTION)  
 which is case number 08-C-3831 in the United States District Court  
 (DOCKET NUMBER)  
 for the Northern District of Illinois

I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after 07/24/08  
 (DATE REQUEST WAS MADE)  
 or within 90 days after that date if (by request was sent outside the United States).

(DATE)  
**David L. Paris**  
 CEO  
 Printed/Typed Name:  
**North Star Capital Acquisition LLC**  
 Amherst NY  
 At (716) 799-0525  
 (IN S) 

of North Star Capital Acquisition, LLC  
 (CORPORATE DEFENDANT)

**Duty to Avoid Unnecessary Costs of Service of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

If a defendant fails for a sufficient time to waive service that a party believes that the complaint is ungrounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over a person or property, a party may waive service of the summons retains all defenses and objections (except those relating to the time limit set for the service of the summons) and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form, serve on the plaintiff's attorney for unrepresented plaintiff(s) a response to the complaint and must also file a signed copy of the response with the court. If the answer or答辩 is not served within this time, a default judgment may be taken against that defendant. By waiving service a defendant has waived more time to answer than if the summons had been actually served when the request for waiver of service was received.